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THE EXPULSION OF THE JEWS FROM ENGLAND IN 1290.¹

THE expulsion of the Jews from England by Edward I. is a measure concerning the causes of which no contemporary historian gives, or pretends to give, any but the most meagre information. It was passed by the King in his "secret council," of the proceedings of which we naturally know nothing. Of the occasion that suggested it, each separate writer has his own account, and none has a claim to higher authority than the rest; and yet there is much in the circumstances connected with it that calls for explanation. How was it that, at a time when trade and the need for capital were growing, the Jews, who were reputed to be among the great capitalists of Europe, were expelled from England? How did Edward, a king who was in debt from the moment he began his reign till the end, bring himself to give up the revenue that his father and grandfather had derived from the Jews? How could he, as an honourable king, drive out subjects who were protected by a Charter that one of his predecessors had granted, and another had solemnly confirmed? To answer these questions we must consider what was the position that the Jews occupied in England, how it was forced on them, and how it brought them into antagonism at various times with the interests of various orders of the English people, and at all times with the teachings of the Catholic Church. We shall thus find the origin of forces strong enough when they converged to bring about the result which is to be accounted for.

¹ The Arnold prize in the University of Oxford was awarded to this Essay in 1894.

I.—THE JEWS FROM THEIR ARRIVAL TO 1190.

Among the foreigners who flocked to England at, or soon after, the Conquest were many families of French Jews. They brought with them money, but no skill in any occupation except that of lending it out at interest. They lent to the King when the ferm of his counties, or his feudal dues were late in coming in;¹ to the barons, who, though lands and estates had been showered on them, nevertheless often found it hard, without doubt, to procure ready money wherewith to pay for luxuries, or to meet the expense of military service; and to suitors who had to follow the King's Court from one great town to another, or to plead before the Papal Curia at Rome.²

But though they thus came into contact with many classes, and had kindly relations with some, they remained far more alien to the masses of the people around them than even the Normans, in whose train they had come to England. Even the baron must, a hundred years after the Conquest, have become something of an Englishman. He held an estate, of which the tenants were English; he presided over a court attended by English suitors. In battle he led his English retainers. He and the Englishman worshipped in the same church, and in it the sons of the two might serve as priests side by side. But the Jews remained during the whole time of their sojourn in England sharply separated from, at any rate, the common people around them by peculiarities of speech, habits and daily life, such as must have aroused dread and hatred in an ignorant and superstitious age. Their foreign faces alone would have been enough to mark them out. Moreover, they generally occupied, not under compulsion, but of their own choice, a separate quarter of each town

¹ J. Jacobs, *Jews of Angevin England*, 43-4; 64-5.

² Cf. the account of the litigation of Richard of Anestry in Palgrave's *Rise and Progress of the English Commonwealth*, Vol. II. (Proofs and Illustrations), pp. xxiv.-xxvii.

in which they dwelt.¹ And in their isolation they lived a life unlike that of any other class. None of them were feudal landowners, none farmers, none villeins, none members of the guilds. They did not join in the national Watch and Ward. They alone were forbidden to keep the mail and hauberk which the rest of the nation was bound to have at hand to help in preserving the peace.² They were not enrolled in the Frank-pledge, that society that brought neighbours together and taught them to be interested in the doings of one another by making them responsible for one another's honesty. They did not appear at the Court Leet or the Court Baron, at the Town-moot or at the Shire-moot. They went to no church on Sundays, they took no sacrament ; they showed no signs of reverence to the crucifix ; but, instead, they went on Friday evening and Saturday morning to a synagogue of their own, where they read a service in a foreign tongue, or sang it to strange Oriental melodies. When they died they were buried in special cemeteries, where Jews alone were laid.³ At home their very food was different from that of the Christians. They would not eat of a meal prepared by a Christian cook in a Christian house. They would not use the same milk, the same wine, the same meat as their neighbours. For them cattle had to be killed with special rites ; and, what was worse, it sometimes happened that, some minute detail having been imperfectly performed, they rejected meat as unfit for themselves, but considered it good enough to be offered for sale to their Christian neighbours.⁴ The presence of

¹ See Jewries of Oxford and Winchester, in the plans in Norgate's *England under Angevin Kings*, I., pp. 31, 40 ; and Jewry of London, described in *Papers of Anglo-Jewish Historical Exhibition*, pp. 20-52.

² *Chronica Rogeri de Hoveden* (Rolls Series) II., 261 ; *Gesta Henrici II. et Ricardi I.* (Rolls Series), I. 279.

³ *Gesta Henrici II. et Ricardi I.* (R. S.), I. 182 ; *Chronica Rogeri de Hoveden* (R. S.), II. 137.

⁴ Depping, *Les Juifs dans le Moyen Age*, 170 ; Jacobs' *The Jews of Angevin England*, 54, 178 ; *Statutes of the Realm* (Edition of 1810), I. 202

Christian servants and nurses in their households made it impossible that any of their peculiarities should remain unobserved or generally unknown.⁴

Thus, living as semi-aliens, growing rich as usurers, and observing strange customs, they occupied in the twelfth century a position that was fraught with danger. But, almost from their first arrival in the country, they had enjoyed a kind of informal Royal protection,⁵ though, as to the nature of their relations with the King during the first hundred and thirty years of their residence, very little is known. It was probably less close than it afterwards became, for the liability to attack and the need for protection had not yet manifested themselves.

But, at the end of the eleventh century, there began to spread throughout Europe a movement which, when it reached England, converted the vague popular dislike of the Jews into an active and violent hostility. While the Norman conquerors were still occupied in settling down in England, the King organising his realm, and the barons enjoying, dissipating, or forfeiting their newly-won estates, popes and priests and monks had been preaching the Crusade to the other nations of civilised Europe. At one of the greatest and most imposing of all the Church Councils that were ever held, where were present lay nobles and clerics of all nations, attending each as his own master, and able to act on the impulse of the moment, Urban II., in 1095, told the tale of the wrong that

(*Judicium Pillorie*) and 203 (*Statutum de Pistoribus*). See also *Leet Jurisdiction in Norwich* (Selden Society, 1891), p. 28, where, in a list of amercements inflicted at the Leet of Nedham and Manecroft, the following entry occurs:—"De Johanne le Pastemakere quia vendidit Carnes quas Judei vocant trefa, 2s."

⁴ Mansi, *Sacrorum Conciliorum Collectio*, Venice, 1775, XX. 399; Wilkins, *Concilia Magnae Britanniae*, I. 591, 675, 719; *Gesta Henrici II. et Ricardi I.* (R. S.), I. 230. *Chronica Rogeri de Hoveden* (R. S.), II. 180.

⁵ Cf. the words of John's Charter := "Libertates et consuetudines sicut eas habuerunt tempore Henrici avi patris nostri.—*Rotuli Chartarum*, p. 93.

Christians had to suffer at the hands of the enemies of Christ. He told his hearers how the Eastern people, a people estranged from God, had laid waste the land of the Christians with fire and sword ; had destroyed churches, or misused them for their own rites ; had circumcised Christians, poured their blood on altars and fonts, scourged and impaled men, and dishonoured women.⁶ Such denunciations, followed by the appeal to all present to help Jerusalem, which was “ruled by enemies, enslaved by the godless, and calling aloud to be freed,” excited, for the first time in Europe, a furious and fanatical hatred of Eastern and non-Christian races. The Jews were such a race, as well as the Saracens, and between the two the Crusaders scarcely distinguished. Before they left home and fortune to fight God’s enemies abroad, it was natural that they should kill or convert those whom they met nearer home. Through all central Europe, from France to Hungary, the bands that gathered together to make their way to the Holy Land fell on the Jews and offered them the choice between the sword and the font.¹

The disasters that followed the first Crusade brought with them an increase in the ferocity of the attacks to which the Jews of Continental Europe were subjected, and S. Bernard, when he preached the second Crusade, found that he had revived a spirit of fanaticism that he was powerless to quell. He had wished for the reconquest of the Holy Land as a result that would bring honour to the Christian religion ; but his followers and imitators thought less of the end than of the bloodshed that was

⁶ *Recueil des Historiens des Croisades—Historiens Occidentaux* (Paris, 1866), III. 321, 727. Cf. especially (p. 727), Altaria suis foeditatibus inquinata subvertunt, Christianos circumcidunt, cruentumque circumcisionis aut super altaria fundunt aut in vasis baptisterii immergunt (Roberti Monachi *Historia Iherosolimitana*).

¹ Neubauer and Stern, *Hebräische Berichte über die Judenverfolgungen während der Kreuzzüge* ; Hefele, *Concilien geschichte*, V., 224, 270 ; Graetz, *Geschichte der Juden* (second edition) VI., 89-107.

to be the means. A monk, "who skilfully imitated the austerity of religion, but had no immoderate amount of learning,"² went through the Rhineland preaching that all Jews who were found by the Crusaders should be killed as enemies of the Christian faith. It was in vain that Bernard appealed to the Christian nations whom his eloquence had aroused, in the hope that "the zeal of God which burnt in them would not fail altogether to be tempered with knowledge." He himself narrowly escaped attack : and the Jews suffered from the second Crusade as they had suffered from the first.³

England was so closely related to the Churches of the Continent that it could not fail to be affected by the great movement. But the first Crusade was preached when the Conquest was still recent, and the Normans had no leisure to leave their new country ; the second, during the last period of anarchy in the reign of Stephen.

Thus there were, during the first hundred years after the Council of Clermont, few English Crusaders. Yet the Crusading spirit, working in a superstitious mediæval population, called forth a danger that was destined to be as fatal to the English Jews as were the massacres to their brethren on the Continent. The Pope who preached the first Crusade had told his hearers that Eastern nations were in the habit of circumcising Christians and using their blood in such a way as to show their contempt for the Christian religion. This charge was naturally extended to the Jews as well. What alterations it underwent in its circulation it is hard to say ; but in 1146, a tale was spread among the populace of Norwich, and encouraged by the bishop, that the Jews had killed a boy named William, to use his blood for the ritual of that most suspicious feast, their Passover. The story was supported by no evidence more trustworthy than that of an apostate Jew, which was so worthless that

² C. U. Hahn, *Geschichte der Ketzer im Mittelalter*, III. 17.

³ Graetz, *Geschichte der Juden* (second edition), VI., 155-170. Cf. Hefele, V., 498, n 2.

the Sheriff refused to allow the Jews to appear in the Bishop's Court to answer the charge brought against them, and took them under his protection. But the popular suspicion of the Jews lent credibility to the story, and so terrible was the feeling which was aroused that many of the Jews of Norwich dispersed into other lands, and of those who remained many were killed by the people in spite of the protection of the Sheriff.¹ The accusation once made naturally recurred, first at Gloucester, in 1168, and then at Bury St. Edmund's, in 1181. "The Martyrs" were regularly buried in the nearest church or religious house, and the miracles that they all worked would alone have been enough to continually renew the belief in the terrible story.²

Under the firm reign of Henry II., anti-Jewish feeling found no further expression in act. The King, like his predecessors, gave and secured to the Jews special privileges so great as to arouse the envy of their neighbours. They were allowed to settle their own disputes in their own *Beth Din*, or Ecclesiastical Court, and in so far to enjoy a privilege that was granted only under strict limitations to the Christian Church.³ They were placed, apparently, under the special protection of the royal officers of each district.⁴ They lived in safety, and they made considerable contributions to the Royal Exchequer.

The death of Henry II. and the accession of Richard I., the first English Crusading King, might naturally have been expected to bring trouble to the rich and royally

¹ Jacobs, *Op. Cit.*, 20, 257.

² *Historia et Cartularium Monasterii S. Petri Gloucestriae*, R. S., I., 21; *Chronica Jocelini de Brakelonda* (Camden Society), 12, 113-14; *Annales Monastici* (R. S.), I., 343, II., 347; Matt. Paris, *Chronica Majora* (R. S.), IV., 377, V., 518; Jacobs' *Jews of Angevin England*, 19; and cf. *Chronicles of Reigns of Stephen, Henry II., Richard I.* (Rolls Series), I., 311.

³ *Materials for History of Thomas Becket* (Rolls Series), IV. 148; Jacobs, *Jews of Angevin England*, 43, 155.

⁴ Cf. the protection given to Jews of Norwich by the Sheriff, Jacobs, 257.

favoured infidels of the land where the blood accusation had its birth. The interregnum between the death of one King and the proclamation of the "peace" of his successor was always a time of danger and lawlessness during the first two centuries after the Conquest, and the growth of the crusading spirit, and of the popular belief in the truth of the blood accusation, caused all the forces of disorder to work in one direction, viz., against the Jews. The day of Richard's coronation was the first opportunity for a great exhibition of the anti-Jewish fanaticism of the populace. The nobles from all parts of the country brought with them to London large trains of servants and attendants, who were left to occupy themselves as best they might in the streets, while their lords were present at the ceremony. The Jews, who had been refused permission to enter the Abbey, took up a prominent position outside. Their appearance exasperated the crowd, and in the mediæval world a crowd was irresistible. While the service was proceeding, the Jews were fiercely attacked by the "wild serving men" of the nobles and the lower orders of citizens. One at least was compelled to accept baptism to save himself from death. Later in the same day, when the King and magnates were banqueting in the palace, the attack was renewed. The strong houses of the Jewry were besieged and fired, and the inhabitants were massacred. But soon "avarice got the better of cruelty," and in spite of the efforts of the King's officers the city was given up to plunder and rapine.¹

Though the King was bitterly angry at what had happened, the first attempt at punishment showed him how powerless he was against the forces hostile to the Jews. Had the offenders been nobles or prominent citizens, he could, when the first irresistible disorder had subsided, have taken vengeance at his leisure. But what could he do against a collection of serving-men and poor citizens, whom

¹ *Chronicles of the Reigns of Stephen, Henry II., and Richard I.* (Rolls Series), I. 294-9.

no one knew, who had come together and had separated in one day? When he departed for the Crusades, he left behind him all the materials for more outbreaks of the same kind. In the more populous towns Crusaders were continually gathering together in order to set out for the Holy Land in company: and they, aided by the lower citizens, clerics, and poor countrymen, and in some cases by ruined landholders, fell on and killed the Jews wherever they had settlements in England, at Norwich, York, Bury St. Edmunds, Lynn, Lincoln, Colchester, and Stamford.¹ Again the Royal officers were unable to touch the offenders. When the Chancellor arrived with an army at York, the scene of the most horrible of all the massacres, he found that the murderers were Crusaders, who had long embarked for the Holy Land, peasants and poor townsmen who had retired from the neighbourhood, and bankrupt nobles, who had fled to Scotland. The citizens humbly represented that they were not responsible for the outrage and were too weak to prevent it. No punishment was possible except the infliction of a few fines, and the Chancellor marched back with his army to London.²

It was clear that the King must strengthen his connection with the Jews. He could not afford to lose them or to leave them continually liable to plunder. They were too rich. In 1187, when Henry II. had wanted to raise a great sum from all his people he had got nearly as much from the Jews as from his Christian subjects. From the former he got a fourth of their property, £60,000, from the latter a tenth, or £70,000.³ It is of course improbable that, as these figures would at first seem to show, the Jews held a quarter of the wealth of the kingdom, but

¹ Radulfi de Diceto, *Opera Historica* (R.S.), II. 75-6. Jacobs, *Jews of Angevin England*, 176; *Chronicles of the Reigns of Stephen, Henry II., and Richard I.* (Rolls Series), I. 309-10, 312-322.

² *Chronicles of the Reigns of Stephen, Henry II., and Richard I.* (R.S.) I. 323-4.

³ Jacobs, *Jews of Angevin England*, pp. 91-6; Gervase of Canterbury (R.S.) I. 422.

they were as useful to the King as if they had. He had a far greater power over their resources than over those of his other subjects; their wealth was in moveable property, and what was still more important, it was concentrated in few hands. It was easily found and easily taken away.¹

II. THE CONSTITUTION OF THE JEWRY.

Richard's policy, or his councillors', was simple. On the one hand, in order to encourage rich Jews to continue to make England their home, he issued a charter of protection, in which he guaranteed to certain Jews,² and perhaps to all who were wealthy, the privileges that they had enjoyed under his father and great-grandfather. They were to hold land as they had hitherto done; their heirs were to succeed to their money debts; they were to be allowed to go wherever they pleased throughout the country, and to be free of all tolls and dues. On the other hand he asserted and enforced his rights over them and their property by organising a complete supervision of all their business transactions. In 1194 he issued a code of regulations, in which he ordered that a register of all that belonged to them should be kept for the information of the treasury. All their deeds were to be executed in one of the six or seven places where there were establishments of Jewish and Christian clerks especially appointed to witness them; they were to be entered on an official list, and a half of each was to be deposited in a public chest under the control of royal officers.³ No Jew was to plead before any one but the King's officers, and special Justices were appointed to hear

¹ For instance, the enormous wealth of Abraham fil Rabbi, Jurnet of Norwich and Aaron of Lincoln. Jacobs, *Op. Cit.*, 44, 64, 84, 90, 91.

² Rymer, *Fædera* I. 51.

³ *Chronica Rogeri de Hoveden* (R.S.), III. 266-7.

their cases and exercise a general control over their business.¹

Their constitution underwent various modifications under Richard's successors. The privileges which had at first been granted to certain Jews by name were extended by John to the whole community;² and the royal hold over them was tightened by an edict, issued in 1219, which ordered the Wardens of the Cinque Ports to prevent any Jews who lived in England from leaving the country.³

This elaborate constitution did not indeed afford complete security against a repetition of the massacres of 1189 and 1190, but its existence was a more solemn and official recognition than had been given before of the fact that the King was the sole lord and protector of the Jews, and that he would regard an injury done to them as an injury to himself. And thus it went far to secure to him his revenue and to them their safety. From this time forward, the Jews yielded to the king, not simply irregular contributions, such as the £60,000 they had paid to Henry II., and the sums they had paid to Longchamp towards the expenses of Richard's Crusade,⁴ but a steady and regular income. They paid tallages, heavy reliefs on succeeding to property, and a besant in the pound, or ten per cent., on their loan transactions; they were liable to escheats, confiscation of land and debts, and fines and amercements of all kinds.⁵ Their average annual contribution to the Treasury, during the latter part of the twelfth century, was probably about a twelfth of the whole Royal revenue,⁶ and of the greater part of what they owed the realisation was nearly certain. Other debtors might find in delay, or resistance, or legal formalities, a way of

¹ *Chronicon Johannis Brompton* in Twysden's *Historiae Anglicanae Scriptores* X., col. 1258.

² *Rotuli Chartarum* (Record Commission), p. 93.

³ Tovey, *Anglia Judaica*, 81.

⁴ *Gesta Henrici II. et Ricard. I.* (R.S.), II. 218; M. Paris, *Chronica Majora* (R.S.) II. 381, and Jacobs, 162-4.

⁵ Jacobs. 222, 228-30, 239-40.

⁶ *Ibid.* 328.

avoiding payment. But the Jews were in the King's hands. He could order the sheriffs of the county to distrain on defaulters, and there was no one between the sheriffs and the Jews.¹ He could despoil them of lands and debts. He could imprison them in the royal castles. In the reign of John, all the Jews and Jewesses of England were thrown into prison by his command, and are said to have been reduced to such poverty that they begged from door to door, and prowled about the city like dogs.² The only way they had of removing any of their property from his reach was by burying it. Whereupon the King, if he had any suspicion that a Jew had more treasure than was apparent, might order him to have a tooth drawn every day until he paid enough to purchase pardon.³

Powerless as the Jews were against royal oppression in England, the position that was offered to them by Richard and John was no worse than that of their co-religionists in other countries of Europe. Those of Germany were the Emperor's *Kammerknechte*;⁴ those of France had been expelled in 1182, and though they were soon recalled, might at any time be expelled again.⁵ A Jew in a feudalised country was liable to be the subject of quarrel between the lord on whose estate he dwelt and the king of the country, and he could be handed about, now to the one and now to the other.⁶ The right to live and to be under jurisdiction, was everywhere still a local privilege that had to be enjoyed by the permission of a lord, lay or clerical, and had to be paid for. In England, the Jews, so long as they were protected by the King, were at any rate under the greatest lord in

¹ Jacobs, 222.

² M. Paris, *Chronica Majora* (R.S.) II. 528; *Annales Monastici* (R.S.) I. 29, II. 264, III. 32, 451; *Chronicles of Lanercost* (Maitland Club), p. 7.

³ M. Paris, *Chronica Majora* II., 528.

⁴ Depping, *Les Juifs dans le Moyen Age*, 185.

⁵ Bouquet, *Recueil des Historiens des Gaules et de la France*, xvii. 9.

⁶ Depping, *Les Juifs dans le Moyen Age*, 59, 60, 185, 194. Cf. *Rotuli Chartarum*, I. 75 (*Carta Willielmi Marescalli, de quodam Judaeo apud Cambay*).

the land. The towns where especially they wished to settle for the purposes of their business, were, thanks to the policy of William the Conqueror, mostly on the royal domain. And the royal power acting through its local officers was used to the full to protect the Jews. The sheriffs of the counties were especially charged to secure to them personal safety and the enjoyment of the immunities that had been granted to them.¹

The arrangement by which Jewish money-lenders received on English soil the protection of the King against his own subjects was not very honourable to either of the parties. But the King had no compunction, and the Jews had no choice. It could endure so long as the royal power was strong enough to override the objections of barons and abbots to a measure in favour of their creditors, of the towns to an encroachment on their privileges, and of the Church to the royal support of a body of infidel usurers.

At the end of the twelfth century neither towns nor landholders nor Church were in a position to offer any effectual protest. In the thirteenth century the strength of the opposition of each of these three orders grew steadily. But in each it pursued a separate course, though to the same end ; and each order struck its decisive blow at a different moment. Hence the various forms of opposition must be separately considered.

III.—THE CONFLICT WITH THE TOWNS.

The towns were the first to carry out a practical and effective anti-Jewish policy. It was they that suffered most keenly and constantly from the presence of the Jews. They had bought, at great expense, from King or noble or abbot, the right to be independent, self-governing communities, living under the jurisdiction of their own

¹ Tovey, *Anglia Judaica*, 78-9.

officers, free from the visits of the royal sheriffs, and paying a fixed sum in commutation of all dues to the King or the local lord ; and yet many of them saw the King protecting in their midst a band of foreigners, who had the royal permission to go whithersoever they pleased, who could dwell among the burgesses, and were yet free not only from all customs and dues and contribution to the ferm,¹ but even from the jurisdiction of those authorities which were responsible for peace and good government.² This was exasperating enough ; but there was more and worse. The exclusion of the sheriff and the King's constables was one of the most cherished privileges of towns, but, wherever the Jews had once taken up their residence, it was in danger of being a mere pretence. At Colchester, if a Jew was unable to recover his debts, he could call in the King's sheriffs to help him. In London, Jews were "warrantised" from the exchequer, and the constable of the Tower had a special jurisdiction by which he kept the pleas between Jews and Christians. At Nottingham, complaints against Jews, even in cases of petty assaults, were heard before the keeper of the Castle. At Oxford the constable called in question the Chancellor's authority over the Jews ; contending that they did not form part of the ordinary town-community.³ Moreover, the debts of the Jews were continually falling into the King's hands, and whenever this happened, his officers would no doubt penetrate into

¹ Stamford was an exception in this respect, Madox, *Firma Burgi*, p. 182.

² Et Judæi non intrabunt in placitum nisi coram nobis aut coram illis qui turres nostras custodierint in quorum ballivis Judæi manserint, *Rot. Chart.*, 93.

³ Cutts, *Colchester*, 123 ; Tovey, *Anglia J.*, 50 ; *Forty-Seventh Report of Deputy-Keeper of Public Records*, 306 ; Lyte, *History of the University of Oxford*, 59 ; *Papers of Anglo-Jewish Historical Exhibition*, 35-6 ; *De Antiquis Legibus Liber* (Camden Soc.), p. 16, (A.D. 1249, Nam rex concessit quod Judei qui antea warantizati fuerunt per breve de scaccario, de cetero placitassent coram civibus de tenementis suis in Londoniis). *Chronica Jocelini de Brakelond* (Camden Soc.), p. 2, (Venit Judeus portans literas domini regis de debito sacristæ).

the town to make on behalf of the royal treasury a collection such as had never been contemplated when the burgesses made their agreement, which was to settle once and for all their payment to the King.¹

In some of the towns the feeling against the Jews was expressed in riots as early as the reign of John, and the beginning of that of Henry III. But the King in each case took stern measures of repression. John told the mayor and barons of London that he should require the blood of the Jews at their hands if any ill befell them.² In Gloucester and in Hereford, the burgesses of the town were made responsible for the safety of the Jews dwelling amongst them. In Worcester, York, Lincoln, Stamford, Bristol, Northampton, and Winchester, the sheriffs were charged with the duty of protecting them against injury.³ Such measures only increased the ill-feeling of the burgesses. At Norwich in 1234 the Jewry was fired and looted.⁴ The Jews were maltreated and beaten, and were only saved from further harm by the timely help of the garrison of the neighbouring castle. At Oxford the scholars attacked the Jewry and carried off "innumerable goods."⁵

But the towns soon began to use a far more effective method than rioting in order to rid themselves of the Jews. Just as they had found it worth while to pay heavily for their municipal charters, so now they were willing to pay more for a measure which would secure them in the future against a drain on their revenues and a violation of their privileges. Whether a town held its

¹ Cp. *Chronica Monasterii de Melsa* (R.S.), I., 177. Interea mortuus est Aaron Judæus Lincolnie, de quo jam dictum est, et compulsi sumus, regis edicto totum quod illi debuimus pro Willielmo Fossard infra breve tempus domino regi persolvere.

² Rymer, *Fœdera*, I., 89.

³ *Calendar of Patent Rolls from 1281 to 1292*, p. 15; Tovey, *Anglia Judaica*, 77, 78, 79.

⁴ Tovey, 101, *Norfolk Antiquarian Miscellany*, I., 326.

⁵ *Annales Monastici* (Rolls Series), iv. 91.

charter from the King or was still dependent on an intermediate lord, the motive was equally strong. An abbot or a baron would be glad to second the efforts made by the inhabitants of one of his vills to expel a portion of the populace which took much from the resources whence his revenue came and added nothing to them.¹ The abbot of Bury St. Edmund's induced the King to expel the Jews from the town in 1190.² The burgesses of Leicester obtained a similar grant from Simon de Montfort in 1231, those of Newcastle in 1234, of Wycombe in 1235, of Southampton in 1236, of Berkhamsted in 1242, of Newbury in 1244, of Derby in 1263; at Norwich the citizens complained to the King, but without any result, of the harm that they suffered through the growth of the Jewish community settled in the city.³ In 1245 a decree in general terms was issued by Henry III., prohibiting all Jews, except those to whom the King had granted a special personal license, from remaining in any town other than those in which their coreligionists had hitherto been accustomed to live.⁴ This series of measures did not simply deprive the Jews in England of a right which had been solemnly granted them and which they had long enjoyed. It went much further.

¹ Especially irritating must have been the fact that the one restriction on the business of Jews, as money-lenders, was the order that forbade them to take in pledge the land of tenants on the royal demesne. W. Prynne, *The Second Part of a Short Demurrer to the Jews' long discontinued remitter*, etc., London, 1656, p. 35; *Norfolk Antiquarian Miscellany*, I. 328.

² *Chronica Jocelini de Brakelonda* (Camden Society), p. 33.

³ Thompson, *Leicester*, 72; Madox, *Hist. of Exchequer*, I. 260, notes O and P; J. E. Blunt, *Establishment and Residence of Jews in England*, 45; Papers Anglo-J. H. Ex. 190; Prynne, *The Second Part of a Short Demurrer*, etc., p. 37; *Norfolk Antiquarian Miscellany*, I. 326, (De Judeis dicebant quod major multitudo manet in civitate sua quam solebat, et quod Judei qui aliis locis dissainati (*sic*) fuerunt venerunt ibidem manere ad dampnum civitatis).

⁴ Prynne, *The Second Part of a Short Demurrer*, etc., p. 75; Madox, *History of the Exchequer*, I. 249: Et quod nullus Judaeus receptetur in aliqua villa sine speciali licentia Regis, nisi in villis illis in quibus Judaei manere consueverunt.

For, by circumscribing the area in which they could carry on their business, and so diminishing their opportunities of acquiring wealth, it threatened their very existence in a land where their wealth alone secured them protection.

IV.—THE CONFLICT WITH THE BARONS.

At the same time that the towns were making their attack on the Jews in their own way, there was growing up within the baronial order a new party, stronger than the towns in the elements of which it was composed and in its capacity for joint action, and filled, on account of the private circumstances of its members, with a deeper hatred of the Jews than the greater barons, who had hitherto represented the order, had ever known. For the old Baronial party which had forced *Magna Carta* on John was too rich to be seriously indebted to the Jews, and the anti-Jewish feeling of its members must have been blunted by the fact that, when they had to pay their debts, they could raise the money by benevolences levied on their tenants.¹ Moreover some of them imitated on their own estates the King's policy of sharing in the profits of usury.² Hence they were little influenced by personal grievances, and it was no doubt partly from political considerations, and partly as a concession to the lesser and poorer members of their order, that they had introduced into *Magna Carta* certain limitations of the power of the Jews, or of their legatee, the King, over the estates of

¹ Jacobs, *Jews of Angevin England*, 269-271.

² M. Paris, *Chronica Majora*, V. 245. Cf. the article in the Constitutions enacted by Walter de Cantilupe, Bishop of Worcester, at his diocesan synod in 1240 : *Quia vero parum refert, an quis per se vel per alium incidat in crimen usurarum, prohibemus ne quis Christianus Judæo pecuniam committat, ut eam Judæus simulate suo nomine proprio mutuet ad usuram.* Wilkins, *Magnæ Britanniæ Concilia*, I. 675, 676. Stubbs, *Select Charters*, 385-6.

debtors, a measure which, small as it was, was repealed on the re-issues of the charters, when, during the minority of Henry III., the Barons had to undertake the duty of Government. And yet even the greater Barons must have felt, after twenty years' experience of the personal Government of Henry III., that an alteration in the Royal system of managing the Jewry was necessary if their order was ever to succeed in the constitutional struggle in which it was engaged. They knew that many of those among the King's acts which they hated worst would have been impossible but for the Jews. It was by money extorted from them that he had been enabled to prolong his expeditions in Brittany and Gascony, to support and enrich his foreign favourites, and to baffle the attempts of the Council to secure, by the refusal of supplies, the restoration of Government through the customary officers. In 1230, and again in 1239, he took from them a third of their property; in 1244, he levied a tallage of 60,000 marks; in 1250, 1252, 1254, and 1255 he ordered the royal officers to take from them all that they could exact, after thorough inquisition and the employment of measures of compulsion so cruel as to make the whole body of Jews in England ask twice, though each time in vain, for permission to leave the country. Thus the whole Baronial order was for a time united, on the ground of constitutional grievances, in a policy which found its expression in the successful attempt of the National Council in 1244 to exact from the King the right of appointing one of the two justices of the Jews, so as to gain a knowledge of the amount of the Jewish revenue, and a power of controlling its expenditure.¹

¹ For the nature and duration of the earlier struggle between the king and the barons, see Stubbs, *Constitutional History of England* (Library Edition), II., 40, 44, 63, 67, 69-77. For the king's acts of extortion from the Jews, see Matthew Paris, *Chronica Majora*, III., 194, 543; IV., 88; V., 114, 274, 441, 487; Madox, *History of the Exchequer*, I., 224-5, 229; Prynne, *Second Part of a Short Demurrer*, 40, 48, 66, 70, 75, 57. For the appointment by the Council of one Justice of the Jews, M. Paris, *Chronica Majora*, iv. 367.

But such a measure did nothing to relieve the personal grievances of the lower baronage, and it was naturally from this class that further complaints proceeded. Its members, unlike the greater barons, made no profit from the encouragement of usury. On the other hand, they were among the greatest sufferers from the practice. Many a one among them must, when summoned to take part in the King's foreign expeditions, have been compelled to pledge some land to the Jews in order to be able to meet the expenses of service; and no doubt the Jews derived from such transactions a large share of the profits that enabled them to make their enormous contributions to the exchequer. A landholder's debt to a Jew would, when once contracted, have been, under any circumstances, difficult to pay off. But the lower baronage, or knight's bachelors, were threatened, when they had fallen into debt, with new dangers, the knowledge of which intensified their hatred of the whole system of money-lending. "We ask," they said in the petition of 1259, "a remedy for this evil, to wit, that the Jews sometimes give their bonds, and the land pledged to them, to the magnates and the more powerful men of the realm, who thereupon enter on the land of the lesser men, and although those who owe the debt be willing to pay it with usury, yet the said magnates put off the business, so that the land and tenements may in some way remain their property, and on the occasion of death, or any other chance, there is a manifest danger that those to whom the said tenements belonged may lose all right in them."¹

The special wrongs of the lower baronage were, in the course of the Civil War, temporarily lost sight of. Nevertheless, the action of the whole baronial party throughout the war contributed greatly, though indirectly, to the ultimate banishment of the Jews from England. Just as the

¹ Stubbs, *Select Charters*, 385-6.

towns had, by their measures of exclusion, weakened the mercenary bond that united the Jews to the King, so now the barons, by their wholesale destruction of Jewish property, worked, as unconsciously as the towns had done, to the same end. They attacked and plundered the Jewry of London twice in the course of the war, and destroyed those of Canterbury, Northampton, Winchester, Cambridge, Worcester, and Lincoln. Everywhere they carried off or destroyed the property of their victims. In London they killed every Jew that they met, except those who accepted baptism, or paid large sums of money. They took from Cambridge all the Jewish bonds that were kept there, and deposited them at their head-quarters in Ely. At Lincoln they broke open the official chests, and "trod underfoot in the lanes, charters and deeds, and whatever else was injurious to the Christians."¹ "It is impossible," says a chronicler, in describing one of these attacks, "to estimate the loss it caused to the King's exchequer."

V.—THE BEGINNING OF EDWARD'S POLICY OF RESTRICTION.

When the Civil War was over, the position of the King's son Edward as, on the one hand, the sworn friend of the lower baronage, and, on the other hand, the leader of the Council and the most powerful man in England,² made it impossible that the Jews should continue to carry on their business under the royal protection as they had hitherto done. And Edward's personal character and political ideals were such as to make him execute with vigour the policy

¹ *Annales Monastici*, II. 101, 363, 371, III. 230, IV. 141, 142, 145, 449, 450; *Liber de Antiquis Legibus* (Camden Society), 62; *Chronicle of Pierre de Langtoft* (R. S.), II., 151; *Chronicle of William de Rishanger* (Camden Society), 24, 25, 126; *Florentii Wigorniensis Chronicorum ex Chronicis* (English Historical Society), II. 192.

² Tout, *Edward I.*, 13, 39.

towards the Jews that was forced on him by his relations with the lower baronage. He was a religious prince, one who could not but have felt qualms of conscience at seeing the "enemies of Christ" carrying on the most unchristian trade of usury in the chief towns of England. He was a statesman, the future author of the Statutes of Mortmain and *Quia Emptores*, and he wished to see the work of the nation performed by the united action of the nation, and its expenses met by due contributions from all the National resources. But in so far as the Jews had any hold on English land they prevented the realisation of this ideal. Sometimes they took possession of land that was pledged to them, and then the amount of the feudal revenue and the symmetry of the feudal organisation suffered, though the King might gain a great deal in other ways;¹ very often they secured payment in money of their debts by bringing about an agreement for the transfer to a monastery of the estates that had been pledged to them as security,² and then the land came under the "dead hand"; sometimes they contented themselves with a perpetual rent-charge,³ and then it would be hard, if not impossible, for the struggling debtor to discharge his feudal obligations.⁴

The indebtedness of the Church must have shocked Edward's sympathies as a Christian, just as much as the indebtedness of the lay landholders thwarted his schemes

¹ Palgrave, *Rotuli Curiae Regis* (Record Commission), II., 62 (*Judaei habeant seisinam*); *Gesta abbatum Monasterii S. Albani* (R. S.), I., 401; *Placitorum Abbreviatio* (Record Commission), p. 58; Jacobs, pp. 90, 234.

² *Chronicles of the Abbey of Melsa* (Rolls Series), I., 173, 174, 306, 367, 374, 377; II., 55, 109, 116; *Archæological Journal*, vol. 38, pp. 189, 190, 191, 192.

³ Blunt, *Establishment and Residence of the Jews in England*, 136; Prynne, *Second Part of a Short Demurrer*, p. 105.

⁴ A very long list of landowners indebted to the Jews could be extracted from Madox, *History of Exchequer*, Vol. I., p. 227, sq. Cf. Prynne, *Second Part*, etc., pp. 96, 98, 106; *Calendar of Patent Rolls from 1281 to 1292*, p. 25.

as a statesman. For the condition of ecclesiastical estates was indeed deplorable. They had begun to fall into debt in the twelfth century, no doubt in consequence of the expense that was necessary for the erection of great buildings, and their debts had gone on growing, partly in consequence of bad management, partly through the necessity of fulfilling the duties of hospitality by keeping open house continually, partly through the exactions of the Pope and the King. The Bishop of Lincoln pledged the plate of his cathedral, the Abbot of Peterborough the bones of the patron-saint of his Abbey; at Bury St. Edmunds each obedientiary had his own seal, which he could apply to bonds which involved the whole house; and loans were freely contracted which accumulated at 50 per cent.¹ Hence in the thirteenth century Matthew Paris wrote that "there was scarcely anyone in England, especially a bishop, who was not caught in the meshes of the usurers."² "Wise men knew that the land was corrupted by them."³ The literary documents of the latter half of the century fully confirm these accounts. The See of Canterbury was weighed down with an ever-growing load of debt when John of Peckham first went to it.⁴ The buildings of the cathedral were becoming dilapidated for want of money to repair them.⁵ Those of the neighbouring Priory of Christ Church were in an equally bad state, and its revenue was equally encumbered.⁶ The bishop of Norwich was so poor that in spite of the extortions regularly practised by his officials, he had to borrow six hundred marks from the Archbishop of Canterbury.⁷ The Bishop of Hereford had been compelled to seek the intervention of Henry III., in order to obtain respite of his debts to

¹ *Gesta Henrici II.* (R. S.), I., 106; *Giraldi Cambrensis Opera* (R. S.), VII., 36; *Cronica Jocelini de Brakelonda* (Camden Soc.), p. 2.

² III., 328.

³ V. 189.

⁴ *Letters of John of Peckham* (Rolls Series), I., 20, 156,

⁵ *Ibid.*, I., 203.

⁶ *Ibid.*, I., 341.

⁷ *Ibid.*, I., 177, 187.

the Jews.¹ The Abbey of Glastonbury was weighed down by "immeasurable debts," and, in order to save it from further calamities, the Archbishop had to order a reorganisation of expenditure so thorough as to include regulations concerning the number of dishes with which the abbot might be served in his private room.² The Prior of Lewes asked permission to turn one of his churches from its right use, and to let it for five years to any one who would hire it, in order that he might thus get together some money to help to pay off what the priory owed.³ The Church of Newneton could not afford clergymen.⁴ Even the great Monastery of St. Swithin's, Winchester, in spite of the revenue that its monks drew from the sale of wine and fur and spiceries, and from the tolls paid by the traders who attended its great annual fair, was always in debt, sometimes to the amount of several thousand pounds.⁵ Except in the cutting down of timber and the granting of life annuities in return for the payment of a lump sum, the religious houses had no resources except the money-lenders.⁶ They borrowed from English usurers, from Italians, from Jews, and from one another.⁷

If the lay and ecclesiastical estates of England were to be freed from their burdens, heroic measures were necessary. The barons had done their part in the work by carrying off or destroying such bonds as they could find. But the financial revolution, to be effective, must be carried out by due process of law.

When, on the restoration of tranquillity, the Council under Edward's influence began its attempt to redress the grievances against which the barons had been fighting, the

¹ Roberts, *Excerpta e Rot. Finium* (Record Commission), II., 68.

² *Letters of John of Peckham*, I., 261. ³ *Ibid.*, I., 380.

⁴ *Ibid.*, I., 194.

⁵ *Obedientiary Rolls of S. Swithin's, Winchester* (Hampshire Record Society), 1892, pp. 10, 18.

⁶ *Letters of John of Peckham*, I., 244; *Kitchin, Winchester*, 55; *Obedientiary Rolls of S. Swithin's*, pp. 22, 25.

⁷ Cf. *Letters of John of Peckham*, I., 542.

first measure in the programme of reform was one for the relief of the debtors to the Jews. Any interference with Jewish business would, of course, entail a loss to the Royal Exchequer, and, honest and patriotic as Edward was, his poverty was so great that he could not afford to sacrifice any of his resources. But the exhausting demands that the King had made on the Jews in the time of his difficulties, and the terrible destruction of their property that had taken place during the war, must have so far diminished the revenue to be derived from the Jews as to make the possible loss of it a far less serious consideration than it would have been twenty years earlier. Accordingly, at the feast of St. Hilary in 1269, a measure, drawn up by Walter of Merton, was passed, forbidding for the future the alienation of land to Jews in consequence of loan transactions. All existing bonds by which land might pass into the hands of Jews were declared cancelled; the attempt to evade the law by selling them to Christians was made punishable with death and forfeiture; and none to such effect was to be executed in future.¹

But this was only a slight measure compared with what was to follow. The Jews might still acquire land by purchase, and needy lords and churches, when forbidden to pledge their lands, were very likely, under the pressure of necessity, to sell them outright. Already the Jews were "seised" of many estates,² and, according to the story of an ancient historian,³ they chose this moment to ask the King to grant them the enjoyment of the privileges that regularly accompanied the possession of land, viz., the guardianship of minors on their estates, the right to give wards in marriage, and the presentation to livings. Feudal law recognised the two former privileges, and the

¹ Tovey, *Anglia Judaica*, 175-7.

² *Gesta Abbatum Monasterii S. Albani* (Rolls Series), I. 401; *Placitorum Abbreviatio* (Record Commission), p. 58, col. 2.

³ *De Antiquis Legibus Liber* (Camden Society), 234 sq.

Church recognised the latter,¹ as incidental to the possession of real property. It was strange, however, that the Jews should present a demand for new social privileges of this kind to a council that had already shown its determination to deprive them of their old legal rights; and it was only natural that the churchmen should take the opportunity of denouncing their "impious insolence." Certain of the councillors were at first in favour of granting the Jews' request; but a Franciscan friar, who obtained admittance to the Council, pleaded that it would be a disgrace to Christianity, and a dishonour to God. The Archbishop of York, and the Bishops of Lichfield, Coventry, and Worcester were present, and argued that the "perfidious Jews" ought to be made to recognise that it was as an act of the King's grace that they were allowed to remain in England, and that it was outrageous that they should make a demand, the granting of which would allow them to nominate the ministers of Christian churches, to receive the homage of Christians, to sit side by side with them on juries, assizes and recognitions, and perhaps ultimately to come into possession of English baronies. Edward and his equally religious cousin, the son of Richard, King of the Romans, were present at the council to support the argument of the Bishops,² and not only were the original requests refused, but the Jews were now forbidden by the act of the King and his Council to enjoy a freehold in "manors, lands, tenements, fiefs, rents, or tenures of any kind," whether held by bond, gift, enfeoffment, confirmation, or any other grant, or by any other means whatever. They were forbidden to receive any longer the rent-charges which had been a common form of security for their loans. Lands of which they were already possessed were to be redeemed by the Christian owners, or in default of them, by other Christians, on repayment without interest

¹ Hefele, *Conciliengeschichte*, V., 1028.

² *Annales Monastici* (R.S.), IV., 221.

of the principal of the loan in consequence of which they had come into the hands of the Jews. In the interest of parochial revenues, Jews were forbidden to acquire houses in London in addition to those which they already possessed.¹

B. LIONEL ABRAHAMS.

(*To be continued.*)

¹ Blunt, *Establishment and Residence*, etc., 134-9.
